



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WHITEFORD, TAYLOR & PRESTON, LLP
ATTN: GREGORY M STONE
SEVEN SAINT PAUL STREET
BALTIMORE MD 21202-1626

COPY MAILED

AUG 07 2006

OFFICE OF PETITIONS

ON PETITION

In re Application of :
Hannig, et al. :
Application No. 10/019,195 :
Filed: June 3, 2002 :
Attorney Docket No. 09646-00004 :
For: PANEL AND PANEL FASTENING :
SYSTEM :

This is a decision on the petition under 37 CFR 1.137(b), filed July 8, 2005 (certificate of mailing date July 7, 2005), to revive the above-identified application.

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." Petitioner is advised that this is not a final agency decision.

This application became abandoned for failure to properly reply to the final Office action, mailed September 9, 2004, which set an extendable three month period for reply. Applicants filed an amendment after final on December 10, 2004 (certificate of mailing date December 9, 2004). The amendment after final failed to place this application in *prima facie* condition for allowance, as was explained in the January 12, 2005 Advisory action. Applicants submitted a three month extension of time and another amendment after final on March 9, 2005 (certificate of mailing date March 8, 2005). The amendment after final failed to place this application in *prima facie* condition for allowance, as was explained in the April 26, 2005 Advisory action. Accordingly, this application became abandoned on March 10, 2005. A Notice of Abandonment was mailed on June 20, 2005.

A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply, unless previously filed.;
- (2) the petition fee as set forth in 37 CFR 1.17(m);

- (3) a statement that the **entire** delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Director may require additional information where there is a question whether the delay was unintentional; and
- (4) any terminal disclaimer (and fee set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d).

The instant petition does not satisfy requirement (1) above.

Petitioners are reminded that after a final Office action, there are only five possible replies: (1) a Notice of Appeal, (2) the filing of a continuing application, (3) a 37 CFR 1.129(a) submission, if appropriate, (4) an amendment after final that makes the case ready for issuance or (5) an RCE. To be a proper reply, an amendment after final must eliminate all of the Examiner's rejections, and thus place the case in *prima facie* condition for allowance. Examiner Ernesto Garcia has indicated that the reply filed July 8, 2005 (certificate of mailing date July 7, 2005) fails to place the application in *prima facie* condition for allowance. Please contact Examiner Garcia for more details as to how the amendment fails to place the application in *prima facie* condition for allowance.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Petition
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By FAX: (571) 273-8300 – ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions